

### **REMARKS**

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Claims 1-3, 5-8, and 10-20 are now present in this application, of which claims 1 and 18 are independent. By this amendment, claims 1, 17, and 18 have been amended, and claim 20 has been added. Reconsideration of this application, as amended, is respectfully requested.

#### **Rejection Under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph**

Claims 1-3, 5-8, and 10-19 stand rejected under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language lacks antecedent basis or is not clearly understood.

In order to overcome this rejection, Applicants have amended claims 1, 17, and 18 to correct each of the deficiencies specifically pointed out by the Examiner. Applicants respectfully submit that the claims, as amended, particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

#### **Rejections under 35 U.S.C. §103**

Claims 18 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Klein in view of Stipan. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claim 18 has been amended to recite a combination of elements in a kit for installing shaft equipment for an elevator including, *inter alia*, "an overspeed governor temporarily mounted to the second suspension element during installation of the shaft equipment, the overspeed governor being

mounted to said at least one guide rail after installation of the shaft equipment.” Applicants respectfully submit that this combination of elements as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including Klein and Stipan.

Applicants respectfully submit that independent claim 18, as amended, is similar to allowable claim 1. In particular, claim 18 has been amended to recite “an overspeed governor temporarily mounted to the second suspension element during installation of the shaft equipment, the overspeed governor being mounted to said at least one guide rail after installation of the shaft equipment.” As noted in the previous amendment, and more fully discussed in the personal interview conducted on May 13, 2008, there is nothing in Klein to suggest that the overspeed governor 17 is to be mounted anywhere other than at support member 11. During the interview, the Examiner agreed that Klein failed to show this configuration.

Because claim 18 now recites this same feature, Applicants respectfully submit that claim 18 is allowable for at least the same reason that claim has been indicated as being allowable and the § 103 rejection of claims 18 and 19 over Klein in view of Stipan be withdrawn.

With regard to dependent claim 19, Applicants submit that claim 19 depends from independent claim 18, which is allowable for the reasons set forth above, and therefore claim 19 is allowable based on its dependence from claim 1, as well as for its additionally recited subject matter. Reconsideration and allowance thereof are respectfully requested.

#### **Allowable Subject Matter**

The Examiner states that claims 1-3, 5-8, and 10-17 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph.

Applicants thank the Examiner for the early indication of allowable subject matter in this application. Claims 1 and 17 have been amended as set forth above in order to overcome the rejection under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph.

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### **Claim 20**

Claim 20 has been added for the Examiner's consideration. Applicants submit that depends from independent claim 18, and is therefore allowable based on its dependence from claim 18, which is believed to be allowable.

In addition, claim 20 recites further limitations which are not disclosed or made obvious by the applied prior art references.

Consideration and allowance of claim 20 is respectfully requested.

### **Additional Cited References**

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

### **CONCLUSION**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,875, at (703) 205-8000, in the Washington, D.C. area.

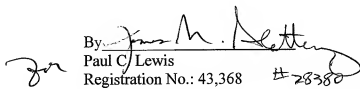
Prompt and favorable consideration of this Amendment is respectfully requested.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: December 16, 2008

Respectfully submitted,

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